



SPEED POST

F. No. B-751 (635)/Textile/WQM-II/CPCB/2017-18

Dated: 17.07.2019

To,

M/s Home Flooring & Décor Pvt. Ltd,
(Formerly known as M/s. Sheikh Bhullan Carpet Pvt. Ltd.)
Jhiliyapur, Goppur, Joharpur, Gopiganj,
District- Bhadohi, UP

DIRECTIONS UNDER SECTION 5 OF THE ENVIRONMENT (PROTECTION) ACT, 1986

WHEREAS, the Ministry of Environment & Forests, Government of India, vide Notifications No. S. O. 157 (E) of 27.02.1996 and S. O. 730 (E) dated 10.07.2002, has delegated the powers vested under Section 5 of the Environment (Protection) Act, 1986 (29 of 1986) to the Chairman, Central Pollution Control Board, to issue directions to any industry or any local body or any other authority for violations of the standards and rules notified under the Environment (Protection) Rules, 1986 and amendment thereof; and

WHEREAS, the Textile, Dyeing & Bleaching industries have been identified as one the Grossly Polluting Industries (GPI) which have been discharging effluents directly or indirectly on land and into water, having potential threat to cause adverse effect on land and the ambient water quality; and

WHEREAS, M/s Home Flooring & Décor Pvt. Ltd, (Formerly known as M/s. Sheikh Bhullan Carpet Pvt. Ltd.) Jhiliyapur, Goppur, Joharpur, Gopiganj, District- Bhadohi, UP (hereafter referred to as the 'Unit') is a textile industry; and

WHEREAS, CPCB issued direction dated 23.11.2017 under Section 5 of Environment (Protection) Act, 1986 to the unit to comply with the following directions:

1. The Unit M/s Home Flooring & Décor Pvt. Ltd, (Formerly known as M/s. Sheikh Bhullan Carpet Pvt. Ltd.) Jhiliyapur, Goppur, Joharpur, Gopiganj, District- Bhadohi, UP may resume its operations.
2. The unit shall ensure uninterrupted connectivity of the OCEMS to the CPCB & SPCB server for treated effluent monitoring.
3. The unit shall operate ETP properly so as to ensure compliance with the effluent discharge norms notified under Environment (Protection) Act, 1986. At any stage, if the treated effluent does not meet notified discharge standards the unit shall closed down manufacturing operations immediately and report to CPCB.
4. The unit shall inform the date of resumption of operation to CPCB.
5. The unit shall submit treated effluent analysis report from laboratory recognised under Environment (Protection) Act, 1986, within 30 days of resumption of manufacturing operations to CPCB.

AND WHEREAS, the unit has not replied to the above said directions; and

WHEREAS, CPCB issued show cause notice dated 12.12.2018 under Environment (Protection) Rules, 1986 to the unit for not complying with the earlier directions of CPCB dated 23.11.2017; and

WHEREAS, the Unit has not submitted any reply/compliance status in response to the show cause notice dated 12.12.2018 issued to the Unit; and

WHEREAS, CPCB issued closure direction dated 28.02.2019 under Environment (Protection) Rules, 1986 to the unit to comply with the following directions:

1. The Unit shall close down all its manufacturing operations with immediate effect for not complying with earlier issued directions by CPCB on 23.11.2017 and not replying to the show cause notice issued to the Unit dated 12.12.2018.
2. The Unit shall inform CPCB immediately about closure of the Unit by submitting a self-certificate about closure.
3. The Unit shall seek permission from CPCB before resuming any manufacturing/ industrial operations.

AND WHEREAS, the unit submitted its reply dated 14.05.2019 which was examined and following observations are made:

1. The unit has closed its manufacturing operations w.e.f., 30.03.2019.
2. The unit has provided treated effluent analysis report from EPA recognized laboratory and results shows that the unit is complying w.r.t. discharge norms.
3. The unit has submitted ETP adequacy report by IIT, BHU and as per report showed that the ETP system is adequate and also few suggestions made to improve the operation the operation of the unit.

AND WHEREAS, CPCB constituted a three-member committee vide office order dated 27.09.2017 having representative from CPCB, Ministry of Environment, Forests & Climate Change and National Mission for Clean Ganga for examination and recommendation for revocation of the closure direction issued by CPCB; and

WHEREAS, the Three Member Committee in its meeting held on 28.06.2019 examined the replies of the Unit and recommended revocation of closure directions issued to the unit dated 28.02.2019 under section 5 of the Environment (Protection) Act, 1986 with following conditions:

1. The suggestions give in the adequacy report by the IIT, BHU should be implemented within 60 days of resuming operation.
2. Performance audit report should be carried out by same reputed institute and shall submit within 60 days of resuming operation.

AND WHEREAS, CPCB is levying Environmental Compensation as directed by the Hon'ble NGT vide its orders dated 03.08.2018 and 19.02.2019 in Original Application No. 593/2017 (W.P. (Civil) No. 375/2012), Original Application No. 125/2017 (M.A. No. 1337/2018) and 217/2017 (M.A. Nos. 761/2017, 1073/2017, 1098/2017 & 1471/2017) vide order dated 06.12.2018 & OA No. No. 739/2018, vide its order dated 21.02.2019; and

WHEREAS, in case of delay in receipt of Environmental Compensation, simple interest shall be charged @12% for delay period with reference to Hon'ble NGT order dated 6th December, 2018 in OA No. 125/2017 for levying interest at a rate of 12% (simple interest) for the delay period in depositing EC amount; and

WHEREAS, the unit has received CPCB closure direction dated 28.02.2019 on 05.03.2019 and closed their manufacturing operation w.e.f., 30.03.2019 and therefore Environmental Compensation shall be levied for non-compliance period (05.03.2019 to 29.03.2019) which is calculated as Rs. 1,87,500-/- (Rupees One Lakh Eighty-Seven Thousand Five Hundred only); and

NOW, THEREFORE, in exercise of power delegated to Chairman, Central Pollution Control Board under section 5 of the Environment (Protection) Act, 1986, the Unit, M/s Home Flooring & Décor Pvt. Ltd, (Formerly known as M/s. Sheikh Bhullan Carpet Pvt. Ltd.) Jhiliyapur, Goppur, Joharpur, Gopiganj, District- Bhadohi, UP direction for closure dated 28.02.2019 are hereby revoked with following conditions;

1. The unit shall deposit Rs. 1,87,500-/- (Rupees One Lakh Eighty-Seven Thousand Five Hundred only) in CPCB A/c No. 532702050000164 (Bank name: Union Bank of India, IP Extension Branch, Vikas Marg Extn., Delhi; IFSC: UBIN0553271) within 15 days from the

date of receipt of revocation direction for operating the unit during the period of closure direction.

2. The Unit M/s Home Flooring & Décor Pvt. Ltd, (Formerly known as M/s. Sheikh Bhullan Carpet Pvt. Ltd.) Jhiliyapur, Goppur, Joharpur, Gopiganj, District- Bhadohi, UP may resume manufacturing operations and shall immediately inform to CPCB regarding the date of resumption of operations.
3. The Unit shall implement the suggestions provided in ETP adequacy report by IIT, BHU within 60 days of resuming operation.
4. The Unit shall submit the performance audit report of ETP, carried out by IIT BHU, within 60 days of resuming operation
5. The Unit shall ensure continuous connectivity of OCEMS system to CPCB server.

In case of default in compliance with the above directions CPCB will be constrained to initiate appropriate action against the Unit without giving any further notice, in accordance with provisions of Environment (Protection) Act, 1986.


(S. P. SINGH PARIHAR)
CHAIRMAN

Copy to:

1. **Member Secretary,** : [With a request to ensure compliance of the directions.]
Uttar Pradesh Pollution Control Board
Building No. TC-12V, Vibhuti Khand,
Gomati Nagar,
Lucknow - 226010
2. **Joint Secretary (CP Division),** : [For kind information, please]
Ministry of Environment, Forests & Climate Change,
Indira Paryavaran Bhavan,
Jor Bagh Road,
New Delhi - 110 003
3. **The District Magistrate** : [For information and necessary action, please]
Collectorate Office, District: Bhadohi
Uttar Pradesh
4. **The Managing Director** : [With the direction to re-connect power supply]
Purvanchal Vidyut Vitran Nigam Limited
Vidyut Nagar Hydrel Colony
Bhikaripur, P.O. DLW
Varanasi - 221010
5. **Regional Director,** : [For information]
Regional Directorate (North),
Central Pollution Control Board,
PICUP Bhawan, Ground Floor
Vibhuti Khand, Gomati Nagar,
Lucknow-226010
6. **The Incharge, IT Division, CPCB** : :[For uploading on CPCBs Website
7. **Master copy, WQM-II, CPCB** : For record


(B. VINOD BABU)
MEMBER SECRETARY